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Attorneys for Defendant
ARMANDO CHRISTOPHER TABAREZ

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

ARMANDO CHRISTOPHER TABAREZ,

Defendant.

CASE NO. 2:94-CR-00320-JAM

**STIPULATION AND [PROPOSED]
ORDER CONTINUING ADMIT OR DENY
HEARING**

IT IS HEREBY STIPULATED by and between assistant U.S. Attorney Timothy Delgado, counsel for the plaintiff United States of America, and John E. Virga, counsel for Defendant Armando Tabarez, that the Admit or Deny Hearing currently scheduled for September 6, 2016, at 9:15 a.m., be continued until October 4, 2016, at 9:15 a.m.

Mr. Tabarez has a pending case in Sacramento Superior Court case number 15F05621 that involves the same allegations that gave rise to his revocation of supervised release in this case. The resolution of the state case has been prolonged because of issues with physically producing Mr. Tabarez in court. To date he has been present for one of the ten hearings on his case. Despite this issue, defense counsel has completed investigations and worked toward resolution of the case. The parties believe that resolving the state case first would greatly expedite a resolution of the federal case.

On August 31, 2016, defense counsel appeared in Sacramento Superior Court and discussed settlement with the Sacramento County Deputy District Attorney handling the

1 prosecution. Defense counsel believes that it is getting close to resolving the state case. By
2 resolving the state case through plea agreement the resolution of both cases will not be hindered
3 by difficulties of producing Mr. Tabarez in court.

4 Mr. Tabarez is next scheduled to appear in state court on September 14, 2016, in
5 Department 63 at 1:30 p.m. Defense counsel asks for this continuance in an effort to coordinate
6 resolutions in both cases.

7 Timothy Delgado agrees to this request and has authorized John E. Virga to sign this
8 stipulation on her behalf. Further, United States Probation Officer Garey R. White also agrees
9 with this request.

10 DATED: August 31, 2016
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12 By: /s/ John E. Virga

13 JOHN E. VIRGA
14 Attorney for Defendant

15 DATED: August 31, 2016
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17 By: /s/ John E. Virga for Timothy Delgado

18 TIMOTHY DELGADO
19 Assistant United States Attorney
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ORDER

Based upon the representations by counsel and the stipulation of the parties, IT IS
HEREBY ORDERED that:

The admit or deny hearing date of September 6, 2016, at 9:15 a.m. is vacated, and
continued until October 4, 2016, at 9:15 a.m.

DATED: 8/31/2016.

/s/ John A. Mendez

HONORABLE JOHN A. MENDEZ
UNITED STATES DISTRICT COURT JUDGE